

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

SAVE ARNOLD CANAL, an Oregon
Non-Profit Corporation, et al.,

Plaintiffs,

Civ. No. 6:22-cv-01462-CL

v.

ORDER

ARNOLD IRRIGATION DISTRICT,
et al.,

Defendants.

MCSHANE, Judge:

Magistrate Judge Mark Clarke filed a Findings and Recommendation (#38), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. Although neither party filed objections, I reviewed the legal principles *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct.

Magistrate Judge Clarke's Findings and Recommendation (#38) is adopted. Defendant's Motion to Dismiss (#24) is granted in part and denied in part. Defendant's Motion to dismiss Plaintiffs' second and third claims for relief is GRANTED. The second and third claims for relief are

dismissed with prejudice as to Plaintiff Save Arnold Canal. Defendant's Motion to Strike and Motion to Make More Definite are DENIED.

IT IS SO ORDERED.

DATED this 11th day of July, 2023.

/s/ Michael J. McShane
Michael McShane
United States District Judge